

# 2007 DRAFTING REQUEST

## Bill

Received: 04/30/2007

Received By: pkahler

Wanted: As time permits

Identical to LRB:

For: Dan Kapanke (608) 266-5490

By/Representing: Andy Gustafson

This file may be shown to any legislator: NO

Drafter: pkahler

May Contact:

Addl. Drafters:

Subject: Insurance - miscellaneous  
Insurance - other insurance

Extra Copies:

Submit via email: YES

Requester's email: Sen.Kapanke@legis.wisconsin.gov

Carbon copy (CC:) to:

## Pre Topic:

No specific pre topic given

## Topic:

Prohibiting transfer of moneys from Injured Patients and Families Compensation Fund

## Instructions:

See Attached

## Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pkahler 04/30/2007	jdye 04/30/2007					
/1			nnatzke 04/30/2007		lparisi 04/30/2007	lparisi 05/16/2007	

FE Sent For: NONE

<END>

**2007 DRAFTING REQUEST****Bill**Received: **04/30/2007**Received By: **pkahler**Wanted: **As time permits**

Identical to LRB:

For: **Dan Kapanke (608) 266-5490**By/Representing: **Andy Gustafson**This file may be shown to any legislator: **NO**Drafter: **pkahler**

May Contact:

Addl. Drafters:

Subject: **Insurance - miscellaneous  
Insurance - other insurance**

Extra Copies:

Submit via email: **YES**Requester's email: **Sen.Kapanke@legis.wisconsin.gov**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Prohibiting transfer of moneys from Injured Patients and Families Compensation Fund

---

**Instructions:**

See Attached

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pkahler 04/30/2007	jdye 04/30/2007					
/1			nmatzke 04/30/2007		lparisi 04/30/2007		

FE Sent For:

&lt;END&gt;

**2007 DRAFTING REQUEST****Bill**Received: **04/30/2007**Received By: **pkahler**Wanted: **As time permits**

Identical to LRB:

For: **Dan Kapanke (608) 266-5490**By/Representing: **Andy Gustafson**This file may be shown to any legislator: **NO**Drafter: **pkahler**

May Contact:

Addl. Drafters:

Subject: **Insurance - miscellaneous**  
**Insurance - other insurance**

Extra Copies:

Submit via email: **YES**Requester's email: **Sen.Kapanke@legis.wisconsin.gov**

Carbon copy (CC:) to:

---

**Pre Topic:**

No specific pre topic given

---

**Topic:**

Prohibiting transfer of moneys from Injured Patients and Families Compensation Fund

---

**Instructions:**

See Attached

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	pkahler	1 4/30 jld nwn	4/30	nwn 4/30			

FE Sent For:

&lt;END&gt;

## **Kahler, Pam**

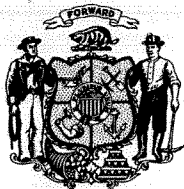
---

**From:** Champagne, Rick  
**Sent:** Friday, April 27, 2007 8:37 AM  
**To:** Kahler, Pam  
**Subject:** AB 264

Good Morning Pam:

Hey, I got a call from Andy in Sen. Kapanke's office and he would like a Senate companion bill drafted to 2007 AB 264.  
Thanks.

Rick



State of Wisconsin  
2007 - 2008 LEGISLATURE

2627/1  
LRB-2062/1

PJK:hdnwn

keep

2007 ASSEMBLY BILL 264

D-note  
(in 4-30)

April 13, 2007 - Introduced by Representatives WIECKERT, M. WILLIAMS, DAVIS, PRIDEMORE, OWENS, TAUCHEN, BLACK, MEYER, NYGREN, STRACHOTA, LEMAHIEU, JESKEWITZ, BALLWEG, LOTHIAN, MUSSER, BIES, J. OTT, PETROWSKI, TOWNSEND, VAN ROY, HINES, GUNDERSON, MURSAU, F. LASEE and VOS, cosponsored by Senators KAPANKE, KANAVAS, OLSEN, A. LASEE, LAZICH, ROESSLER, DARLING and GROTHMAN. Referred to Committee on Insurance.

Regen

- 1 AN ACT *to amend* 655.27 (6) of the statutes; **relating to:** prohibiting the transfer  
2 of moneys from the injured patients and families compensation fund for  
3 unintended purposes.

---

***Analysis by the Legislative Reference Bureau***

The health care liability provisions of the statutes require certain health care providers to carry health care liability (medical malpractice) insurance with liability limits of at least \$1,000,000 for each occurrence and at least \$3,000,000 for all occurrences in a policy year. Any portion of a medical malpractice claim that exceeds the policy limits is paid by the injured patients and families compensation fund (fund) for health care providers that are subject to the health care liability provisions. Money for the fund comes from annual fees paid by those health care providers.

Current law provides that the fund is established to curb the rising costs of health care by financing part of the liability incurred by health care providers, that the fund is held in irrevocable trust for the sole benefit of health care providers and proper claimants, and that the fund may not be used for any other purpose of the state. This bill provides that, before January 1, 2020, moneys in the fund may not be transferred from the fund to be used for any purpose not specifically stated under current law as a use for moneys in the fund.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

# ASSEMBLY BILL 264

**SECTION 1.** 655.27 (6) of the statutes is amended to read:

655.27 (6) PURPOSE AND INTEGRITY OF FUND. The fund is established to curb the rising costs of health care by financing part of the liability incurred by health care providers as a result of medical malpractice claims and to ensure that proper claims are satisfied. The fund, including any net worth of the fund, is held in irrevocable trust for the sole benefit of health care providers participating in the fund and proper claimants. Moneys in the fund may not be used for any other purpose of the state. Before January 1, 2020, moneys may not be transferred from the fund to be used for any purpose not specified in this chapter or s. 20.145 (2) as a use for moneys in the fund.

**(END)**

De-ze

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

date

LRB-2627/7dn

PJK:.....

Jld

Here is a companion bill to 2007 Assembly Bill 264, as you requested.

Pamela J. Kahler  
Senior Legislative Attorney  
Phone: (608) 266-2682  
E-mail: [pam.kahler@legis.wisconsin.gov](mailto:pam.kahler@legis.wisconsin.gov)

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-2627/1dn  
PJK:jld:wn

April 30, 2007

Here is a companion bill to 2007 Assembly Bill 264, as you requested.

Pamela J. Kahler  
Senior Legislative Attorney  
Phone: (608) 266-2682  
E-mail: [pam.kahler@legis.wisconsin.gov](mailto:pam.kahler@legis.wisconsin.gov)



## **Duerst, Christina**

---

**From:** Gustafson, Andrew  
**Sent:** Wednesday, May 16, 2007 9:18 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 07-2627/1 Topic: Prohibiting transfer of moneys from Injured Patients and Families Compensation Fund

Please Jacket LRB 07-2627/1 for the SENATE.